

H.R. 1158, the Department of Energy Laboratory Modernization and Technology Transfer Act of 2015

Section by Section Analysis

Introduced by Rep. Randy Hultgren (R-IL) and co-sponsored by Rep. Ed Perlmutter (D-CO), Rep. Eddie Bernice Johnson (D-TX), Rep. Lamar Smith (R-TX), Rep. Randy Weber (R-TX), Rep. Dan Newhouse (R-WA), Rep. Dana Rohrabacher (R-CA), Rep. Eric Swalwell (D-CA), Rep. Randy Neugebauer (R-TX), Rep. Dan Lipinski (D-IL), Rep. Chaka Fattah (D-PA), and Rep. Ben Ray Lujan (D-NM).

SEC. 1. Short Title and Table of Contents.

The short title of this legislation is “Department of Energy Laboratory Modernization and Technology Transfer Act of 2015.”

SEC. 2. Definitions.

This section defines “National Laboratory” and other relevant terms.

SEC. 3. Savings Clause.

This section states that nothing within the Subtitle shall abrogate or affect the primary responsibilities of any national laboratory or the Department of Energy (DOE).

SEC. 101. Under Secretary for Science and Energy.

Section 101 codifies the consolidation of the Under Secretary for Energy and Under Secretary for Science positions into one Under Secretary for Science and Energy.

SEC. 102. Technology Transfer and Transitions Assessment.

This Section requires the Secretary to assess the effectiveness of DOE’s Office of Technology Transitions and make recommended departmental policy changes accordingly.

SEC. 103. Sense of Congress.

Section 103 provides a sense of Congress that the Secretary should encourage the national laboratories to inform small businesses or relevant opportunities and resources.

SEC. 104. Nuclear Energy Innovation.

This Section requires DOE to assess its capabilities to authorize, host, and oversee privately funded fusion and non-light water reactor prototypes at Department-owned sites.

SEC. 201. Agreements for Commercializing Technology Pilot Program.

This section authorizes the Secretary to continue until October 31, 2017, a pilot program to institute agreements between national laboratories and third-party entities. These agreements, known as ACT agreements, provide national laboratories with increased authority to negotiate contract terms, including intellectual property rights, payment structures, performance guarantees, and multiparty collaborations. Section 201 also requires the Secretary, in coordination with the laboratory directors, to report on the effectiveness of this pilot program and provide transparency regarding the potential use of funds derived from federal contracts pursuant to this section.

SEC. 202. Public-Private Partnerships for Commercialization.

This section delegates to the national laboratories signature authority for certain agreements with third-party entities for an amount of less than \$1,000,000.

SEC. 203. Inclusion of Early-Stage Technology Demonstration in Authorized Technology Transfer Activities.

Section 203 delegates to national laboratories authority to use technology transfer funds to carry out early-stage and pre-commercial technology demonstration activities to attract private sector investment for research and technology arising out of the national laboratories.

SEC. 204. Funding Competitiveness for Institutions of Higher Education and Other Nonprofit Institutions.

This section exempts for a 6-year trial period universities and nonprofit institutions from the 20 percent cost-share requirement for applied research and development grants.

SEC. 205. Participation in the Innovation Corps Program.

Section 205 clarifies that the Secretary of Energy may enter into an agreement with the National Science Foundation (NSF) to enable researchers funded by DOE to participate in NSF's Innovation Corps program.

SEC. 301. Report by Government Accountability Office.

Section 301 instructs the GAO to submit a report within three years of enactment assessing the impact of the technology transfer activities authorized in this legislation, pursuant to sections 201, 202, and 203. This section also requires an assessment of DOE's efforts to promote technology transfer.